

REMARKS/ARGUMENTS

1. Claim Rejections of claims 1-2, 7-12, 14-16, 18-23, 25-28, and 30-35:

Claims 1-2, 7-12, 14-16, 18-23, 25-28, and 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al., US 2003/0097552 (hereinafter "Lewis") in view of Hu, US 6,170,043 B1 (hereinafter "Hu").

Response:

The independent claims 1, 11, 16, 21, 25, and 27 have each been amended to clarify the claimed invention. Taking claim 1 as an example, as of the amendment filed on 01/21/2009, claim 1 recited the element of "an interface unit electrically coupled to the bus interface for, **in a startup procedure**, receiving operational firmware from the host and **receiving initialization data required for initializing the electronic device from the host**". To further clarify the claimed invention, the applicant now amends claim 1 to state "the electronic device circuit is initialized by the initialization data which is received in the startup procedure". This amendment is fully supported in Figure 4 and in paragraph [0038] of the instant application, and no new matter is added through this amendment to the independent claims 1, 11, 16, 21, 25, and 27.

In contrast, Hu teaches in Figure 6 and in column 5, lines 25-37 a procedure for monitoring a status of the firmware update. Hu teaches in step 310 executing a step "to initialize the CD-ROM system". Then, upon determining in step 320 that firmware information needs to be updated, a firmware update step is executed in step 322. However, it cannot be said that Hu teaches the feature of "the electronic device circuit is initialized by the initialization data which is received in the startup procedure" since Hu teaches initializing the CD-ROM system in step 310 **and later** updating the firmware in step 322. The fact that **Hu's initialization process begins before the firmware is updated and before any initialization data is received from the host** proves that Hu fails to teach initializing the components of the CD-ROM system using the initialization data received from the host as part of a startup procedure.

Moreover, as Hu teaches that a decision is made in step 320 to determine if the

firmware needs to be updated, this also shows that Hu's CD-ROM system already contains workable firmware and initialization data that is not received in the startup procedure.

5 Regarding Lewis, the Examiner has stated on page 3 of the Office action dated 03/19/2009 that "Lewis does not specifically disclose that the operational firmware and initialization data is received in a startup procedure. While Lewis clearly provides for the ability to update these elements, the system as disclosed is initialized before any operation occurs, and therefore appears to only provide for receiving new
10 initialization after the system is operating."

Both Lewis and Hu disclose that their electronic device is initialized by initialization data that is already stored inside the device before the device is powered on and enters a startup procedure. After the device is initialized, the device then
15 receives updated firmware from the host. Thus, even if one argues that Lewis and Hu's devices receive the initialization data from the host in advance and are later powered off or reset, it still would not be true that Lewis and Hu teach that the electronic devices are **initialized by the initialization data received in the startup procedure.**

20

Therefore, as neither Lewis nor Hu teaches the features of "in a startup procedure, receiving operational firmware from the host and receiving initialization data required for initializing the electronic device from the host" and "the electronic device circuit is initialized by the initialization data which is received in the startup procedure", the
25 applicant submits that each of the independent claims 1, 11, 16, 21, 25, and 27 are patentable over the combination of Lewis and Hu.

Furthermore, claims 2, 7-10, 12, 14-15, 18-20, 22, 23, 26, 28, and 30-35 are dependent upon independent claims 1, 11, 16, 21, 25 and 27, and should be allowed if
30 their respective base claims are found allowable. Reconsideration of claims 1-2, 7-12,

14-16, 18-23, 25-28, and 30-35 is respectfully requested.

2. Claim Rejections of claims 3 and 4:

5 Claims 3 & 4 are rejected under 35 U.S.C. 103(a) as being obvious over Lewis, as applied to Claim 1 above, and further in view of Kamihara et al. (US PGPub # 2002/0169904), herein Kamihara.

Response:

10 Claims 3 and 4 are dependent upon claim 1, and should be allowed if claim 1 is found allowable. Reconsideration of claims 3 and 4 is respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

15

/Winston Hsu/

Date: 05/27/2009

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506, Merrifield, VA 22116, U.S.A.

Voice Mail: 302-729-1562

20 Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

25

Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)